THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14384 of 2006

21.7.2006

Between:

Shaik Karimulla, S/o.Shaik Abdul Khader

… Petitioner

AND

The Sub Registrar, Kadapa
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14384 of 2006

ORDER:

The petitioner is statedly owner of land admeasuring Acs.0.25 in survey No.42/B2 situated in Kadapa Town and District under registered sale deed dated 03.7.1995. It is alleged that as he required money for his domestic necessities, he offered the land to sell and after payment of necessary charges by way of challan dated 08.3.2006, he approached the first respondent along with purchasers for registration of the sale deeds. The first respondent allegedly did not accept the sale deeds nor register them. The reason, as informed by the first respondent, is that he was issued a letter dated 08.6.2000 by the Mandal Revenue Officer, Kadapa, advising him not to register any document pertaining to the said survey number. Aggrieved by the same, present writ petition is filed.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of directing the second respondent or any other Registering Officer to accept the document presented by the petitioner and consider for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. No costs.

(**V.V.S.RAO,J**)

June 21, 2006.

YS